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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

BCB CHEYENNE LLC d/b/a BISON
BLOCKCHAIN, a Wyoming limited
liability company,

Plaintiff,

vs.

Civil No. 23-CV-79J

MINEONE WYOMING DATA CENTER
LLC, a Delaware limited liability company;
MINEONE PARTNERS LLC, a Delaware
limited liability company; TERRA
CRYPTO INC., a Delaware corporation;
BIT ORIGIN, LTD., a Cayman Island
Company; SONICHASH LLC, a Delaware
limited liability company; BITMAIN
TECHNOLOGIES HOLDING COMPANY,
a Cayman Island Company; BITMAIN
TECHNOLOGIES GEORGIA LIMITED, a
Georgia corporation; and JOHN DOES
1-18, related persons and companies who
control or direct some or all of the named
Defendants,

Defendants.

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**BITMAIN TECHNOLOGIES GEORGIA LIMITED'S NOTICE OF
NON-OPPOSITION TO CO-DEFENDANTS' MOTIONS TO
DISMISS**

Defendant Bitmain Technologies Georgia Limited (hereinafter “Bitmain Georgia”) hereby provides notice to the Court that it takes no position on *Defendants MineOne Wyoming Data Center LLC, MineOne Partners LLC, and Terra Crypto Inc.’s Motion to Dismiss* or the *Motion to Dismiss* filed by Defendants Bit Origin Ltd. and Sonichash, LLC (collectively, “co-defendants’ motions”). If the Court grants the co-defendants’ motions, however, Plaintiff’s claims against Bitmain Georgia should be dismissed as well, as the co-defendants are indispensable parties and all parties would be unfairly prejudiced if the Court retained jurisdiction over Bitmain Georgia.

ANALYSIS

Courts may not dismiss indispensable parties to preserve diversity jurisdiction. *See Lenon v. St. Paul Mercury Ins.*, 136 F.3d 1365, 1371 (10th Cir. 1998) (discretion district courts have to dismiss nondiverse parties “is circumscribed...by Rule 19(b) because the court cannot proceed without indispensable parties.”).

Under Rule 19, a party is an indispensable party if (1) “in that person’s absence, the court cannot accord complete relief among existing parties” or (2) proceeding without that party would “impair or impede the person’s ability to protect [an] interest” or “leave an existing party subject to a substantial risk of incurring double, multiple, or otherwise inconsistent obligations because of the interest.”

Grice, 921 F.3d at 969 (citing FED. R. CIV. P. 19). If any party would be “unfairly prejudiced by dismissing a defendant, the court must dismiss the case in its entirety for lack of jurisdiction.” *Id.* (further citation omitted).

Here, co-defendants are indispensable parties and all parties would be unfairly prejudiced if the Court retained jurisdiction over Plaintiff's claim against Bitmain Georgia. The claims against Bitmain Georgia and the co-defendants arise from the same factual circumstances and are intertwined. *See Amended Complaint*, (Doc. 50), at ¶¶ 84, 102-03, 177, 179, 223-26. Given Plaintiff's allegations, it is impossible to litigate a case against Bitmain Georgia and accord complete relief to all parties without co-defendants' participation. As such, the co-defendants are indispensable to the litigation of Plaintiff's claims against Bitmain Georgia and vice versa. Furthermore, litigating this matter in two different lawsuits would unduly burden the parties, pose substantial risk of inconsistent rulings or obligations, and cut against the public interest of judicial efficiency.

WHEREFORE, Bitmain Georgia respectfully requests that if the Court grants the co-defendants' motions, the Court dismiss the entire case and not retain jurisdiction over Bitmain Georgia.

Dated: 17 May 2024.

BITMAIN TECHNOLOGIES GEORGIA
LIMITED, Defendant

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CERTIFICATE OF SERVICE

I certify the foregoing ***Bitmain Technologies Georgia Limited's Notice of Non-Opposition to Co-Defendants' Motions to Dismiss*** was served upon all parties to this action pursuant to the Federal Rules of Civil Procedure on 17 May 2024, and that copies were served as follows:

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